

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

QUEBECOR WORLD INC.,

Plaintiff,

- vs -

ADAM KRIFTCHER,

Defendant.

**ATTORNEY DECLARATION IN
SUPPORT OF REQUEST FOR
CERTIFICATE OF DEFAULT**

Civil Action No. 07-CV-3872(LAK/JCF)

STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

JOSEPH W. ALLEN, ESQ. declares the following to be true under penalty of perjury pursuant to 28 U.S.C. §1746:

1. I am an attorney duly admitted to practice before this Court and the courts of New York State and am associated with the firm of Jaeckle Fleischmann & Mugel, LLP, attorneys for plaintiff Quebecor World Inc. ("Plaintiff") in the above-captioned action. As such, I am fully familiar with the pleadings and proceedings herein and make this declaration upon my own knowledge.

2. This declaration is submitted in support of Plaintiff's Request for a Certificate of Default as against defendant Adam Kriftcher ("Defendant Kriftcher").

3. On or about June 21, 2007, my firm delivered copies of the Summons and Amended Complaint in this action as well as a copy of Judge Kaplan's rules to Florida Process Service, Inc. ("FPSI") of Miami, Florida. Thereafter, Mr. Barry Wolf of FPSI properly served copies of the Summons and Amended Complaint, together with a copy of Judge Kaplan's rules,

on Defendant Kriftcher under the provisions of Rule 4 of the Federal Rules of Civil Procedure and certified that fact to this Court in an affidavit of service dated July 23, 2007. The affidavit of service was duly filed with this Court on August 16, 2007. A file-stamped copy of the affidavit of service is attached to this declaration as **Exhibit "1"**.

4. Defendant Kriftcher has failed to serve an answer or otherwise respond to the Summons and Complaint.

5. Under Rule 12(a) of the Federal Rules of Civil Procedure, the time limit for responding to the Summons and Complaint has expired, and the time for Defendant Kriftcher to do so has not been extended by any stipulation of the parties or any order of the Court.

6. Defendant Kriftcher is neither an infant nor an incompetent person within the meaning of Rule 55(a) of the Federal Rules of Civil Procedure, nor is he engaged in military service. *See* Exhibit "1" hereto.

DATED: Buffalo, New York
August 21, 2007

I Declare Under Penalty of Perjury that
the Foregoing is True and Correct.

Executed on August 21, 2007

/s/ Joseph W. Allen
JOSEPH W. ALLEN

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